UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/50/414
7 September 1995

ORIGINAL: ENGLISH

Fiftieth session
Item 111 of the
provisional agenda*

REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES, QUESTIONS RELATING TO REFUGEES, RETURNEES AND DISPLACED PERSONS AND HUMANITARIAN QUESTIONS

Comprehensive consideration and review of the problems of refugees, returnees, displaced persons and related migratory movements

Report of the Secretary-General

I. INTRODUCTION

1. On 23 December 1994, at its forty-ninth session, the General Assembly adopted resolution 49/173 entitled "Comprehensive consideration and review of the problems of refugees, returnees, displaced persons and related migratory movements".

2. In the resolution, the General Assembly reaffirmed the need for the international community to consider comprehensive approaches for the coordination of action with regard to refugees, returnees, displaced persons and related migratory movements. The Assembly called upon the United Nations High Commissioner for Refugees, in consultation with concerned States and in coordination with relevant intergovernmental, regional and non-governmental organizations, to continue to consider comprehensive regional approaches to the problems of refugees and displaced persons. It also called upon the High Commissioner to continue her efforts to promote and develop a preparatory process, leading to the convening, not later than 1996, of a regional conference to address the problems of refugees, displaced persons, other forms of involuntary displacement and returnees in the countries of the Commonwealth of Independent States and relevant neighbouring States, and urged States and the

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intergovernmental, regional and non-governmental organizations concerned to support that process, including follow-up measures. Finally, the Assembly requested the Secretary-General to report to it at its fiftieth session on the implementation of resolution 49/173.

II. REGIONAL INITIATIVES OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

3. As the range of persons recognized to be in need of international protection has grown since UNHCR's inception, the scope of UNHCR's activities has also changed from a primarily reactive approach, largely focused on protection and assistance in countries of asylum, to an approach in which protection provides the basis for a strategy of prevention, preparedness and solutions, with increasing emphasis on activities in countries of origin.

4. In recent years, UNHCR has stressed the importance of such comprehensive approaches and has developed a number of action-oriented initiatives in response to regional problems. Notable among these have been the International Conference on Assistance to Refugees in Africa, the International Conference on Central American Refugees and the Comprehensive Plan of Action for Indo-Chinese Refugees. In February 1995, UNHCR organized a regional conference on assistance to refugees and displaced persons in the Great Lakes region, which was held at Bujumbura. The Conference adopted a plan of action on an integrated political, humanitarian and development approach to resolve the problem of refugees and displaced persons in the region.

5. In 1995, the High Commissioner launched an initiative to promote and develop a concerted and comprehensive strategy to address issues concerning refugees, displaced persons and migratory movements in the Commonwealth of Independent States (CIS) region. UNHCR has proposed and initiated a series of consultations and technical meetings focusing on the region, as part of a process intended to lead to an agreement on a comprehensive programme of action and the establishment of an implementing framework.

III. PROMOTION AND DEVELOPMENT OF THE PREPARATORY PROCESS LEADING TO A REGIONAL CONFERENCE ON THE PROBLEMS OF REFUGEES, DISPLACED PERSONS, OTHER FORMS OF INVOLUNTARY DISPLACEMENT AND RETURNEES IN THE CIS COUNTRIES AND RELEVANT NEIGHBOURING STATES

6. Following the adoption by the General Assembly on 20 December 1993 of resolution 48/113, on the convening of a United Nations conference for the comprehensive consideration and review of the problems of refugees, returnees, displaced persons and migrants, UNHCR has, since early 1994, consulted with Governments of the CIS countries, neighbouring and other interested countries and international organizations, particularly the International Organization for Migration (IOM) and the Organization for Security and Cooperation in Europe (OSCE), to determine the appropriateness of that endeavour.

7. Under General Assembly resolution 49/173, UNHCR was mandated to initiate a process involving a great number of actors in the international community, in particular Governments and international and regional governmental and non-governmental organizations, as well as development agencies and financial institutions, in the preparation of a regional conference. UNHCR is currently acting in close partnership with IOM and the OSCE's Office for Democratic Institutions and Human Rights. The three organizations share the same concern over the magnitude and complexity of actual and potential migration and refugee issues in the CIS and neighbouring countries. They also recognize the complementarity of mandates, approaches and procedures.

8. To prepare the preliminary meetings and the conference itself, a joint secretariat was established at UNHCR by the three organizations in January 1995 for a period of 15 months. It focuses on the following objectives:

(a) Steering the preparatory process for the CIS conference through consultations and negotiations with the parties concerned in close cooperation with interested Governments and international organizations;

(b) Providing support to the process in the form of logistics, secretarial assistance, translation, interpretation, supplies and documentation, as well as participation in the conference and meetings;

(c) Coordinating the provision of expert inputs and studies on relevant subjects;

(d) Providing all related public information functions.

9. A joint UNHCR/IOM appeal for the secretariat of the conference was launched on 20 January 1995. The overall meeting and conference costs budgeted for UNHCR total $748,000 for the period 1 January 1995 to 31 March 1996. A contribution of $384,476 is required to cover IOM costs.

10. Between December 1994 and August 1995, six informal meetings of a steering group, comprising representatives of concerned and interested Governments and international organizations, were held at Geneva to give direction to the preparatory process. Among the first tasks of the Steering Group were clarifying the objectives of the process and preparing for the first meeting of experts.

11. A series of national consultations were held during February, March and April 1995 in Ukraine, Belarus and the Republic of Moldova, with the first regional consultation taking place in March in Kyrgyzstan for the five Central Asian Republics. Consultations have also taken place in Armenia, Azerbaijan and Georgia and in the Baltic States.

12. A first meeting of experts, held on 18 and 19 May 1995 at Geneva, was attended by the following countries and international organizations:

CIS: Armenia, Azerbaijan, Belarus, Georgia, Kazakstan, Kyrgyzstan, Republic of Moldova, Russian Federation, Tajikistan, Turkmenistan, Ukraine;

Other interested States: Austria, Belgium, Bulgaria, Canada, China, Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Latvia, Netherlands, Norway, Pakistan, Poland, Portugal, Romania, Slovakia, Spain, Sweden, Switzerland, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America;

United Nations organs and agencies and other international organizations and institutions: United Nations Centre for Human Rights, Council of Europe, Department of Humanitarian Affairs of the United Nations Secretariat, International Bank for Reconstruction and Development, International Centre for Migration Policy Development, International Committee of the Red Cross, International Labour Office, International Organization for Migration, Organization for Security and Cooperation in Europe/Office for Democratic Institutions and Human Rights, United Nations Children's Fund, United Nations High Commissioner for Refugees, United Nations Office at Geneva;

Other institutions: European Commission.

13. The main task of the first meeting of experts was to identify the issues of concern and to prepare the work plan for the conference.

14. The types of movements to be addressed in the process were identified as follows: refugees, displaced persons, resettlers, formerly deported peoples, irregular migration, trafficking in migrants, stranded migrants and ecological migration. In addition, the following general issues were among those raised:

(a) Inadequacies of current terminology relating to refugees and displaced persons: Agreement was reached on the need for a more uniform and harmonized use of terminology both in national legislation and in regional agreements. It was recognized that the refugee definition contained in the 1951 Convention relating to the Status of Refugees might not fully cover current regional needs. It was also felt that various involuntary movements taking place in the region would not fall within existing norms and standards;

(b) National implementation of international instruments: It was recognized that a gap exists between international instruments and implementation at the national level: the lack of effective implementation of international obligations is due to economic, social and political difficulties inherent in the transition process. Proper guidance and technical advisory services should be provided, in particular to assist in the establishment of appropriate administrative structures;

(c) Emergency preparedness: A need was perceived for contingency plans and the establishment of a structure conducive to the reception and provision of relief to refugees and displaced persons;

(d) Harmonized regional approach: There was recognition of the need for a harmonized regional approach to be adopted and subsequently implemented in the areas of preventive action, management of displacement crises and burden-sharing mechanisms. It was also felt that a unified approach should be used for promotion and training activities, including the organization of conferences and seminars at the regional and subregional level;

(e) Root causes: It was proposed that an in-depth study of the root causes underlying displacement in the region be undertaken. This should also assess the psychological impact of displacement on the population;

(f) Administrative systems: It was recognized that many countries in the region require assistance in the strengthening of their administrative systems in order to be able to deal with the migration challenges;

(g) Cooperation: There was recognition of the need for cooperation among the countries themselves, among international organizations and within the broader international community.

15. A draft work plan was submitted to the Meeting of Experts and later refined in the light of comments received by the secretariat. The plan was structured as follows: a series of subregional meetings were to be held between July and September 1995, at which country representatives would analyse the issues of concern identified in the first meeting of experts; a second meeting of experts was envisaged for November 1995, at which possible solutions would be discussed on the basis of the conclusions of the subregional meetings and of the input provided by the non-governmental sector; in conjunction, a drafting committee would be convened to start drafting a declaration of principles and a programme of action; a third meeting of experts was scheduled tentatively for December 1995; a preparatory conference and the conference itself were planned for the first quarter of 1996. The Steering Group referred to in paragraph 10 above would continue to meet at Geneva at regular intervals throughout the process.

16. The first two subregional meetings were held at Tbilisi, Georgia, on 10 and 11 July for the Transcaucasus region and Ashkhabad, Turkmenistan, on 27 July for the Central Asian Republics. At both meetings participants reviewed and discussed existing terminology and agreed on a common set of terms to be used to define the various categories of persons moving within the region. The effects of population displacement were thoroughly analysed and governmental responses assessed. Finally, the issues of emergency preparedness, early warning, migration management, return and reintegration were discussed.

17. The overall objective of the process initiated in 1994 is to provide a wide and open forum for the international community, and particularly the concerned countries, to acknowledge, review and discuss all population movements taking place in the CIS and neighbouring region in a humanitarian and non-political framework. In addition, the main objective of the process would be to devise an integrated strategy for the region, through the drafting of a declaration of principles and a programme of action. In the long run, a shared commitment on the roles and responsibilities of each of the concerned parties should be reached. This would be reflected in an accountability framework which would pave the way for achieving durable solutions to existing problems and for preventing potential ones. The plan, endorsed and supported by the international community, would enable countries to cope with the migration challenges faced by the CIS region.

18. The primary, and ultimate beneficiaries of this endeavour are all persons in need of UNHCR's protection and assistance in the CIS region, as well as those of concern to IOM.

19. The CIS conference process should contribute to strengthening institutional cooperation not only among international and regional governmental organizations but also with non-governmental organizations which are concerned with population displacements in the CIS and neighbouring countries. The collaborative effort between the International Council of Voluntary Agencies, the European Council on Refugees and Exiles, the Open Society Institute and other non-governmental organizations active in the region have been welcomed, and the CIS secretariat has been requested to ensure the linkage between the intergovernmental and the non-governmental processes.

20. The CIS conference secretariat has kept the community of non-governmental organizations fully informed by organizing briefing sessions at each stage of the process. In addition, a meeting was to be organized in October 1995 to discuss possible solutions with non-governmental organizations, academics and other independent actors. The conclusions of the meeting were to be submitted to the second meeting of experts. Following a suggestion from the Open Society Institute to organize consultations at the field level with local and international non-governmental organizations active in the region, meetings with local non-governmental organizations took place at Tbilisi and Moscow in July 1995. Similar meetings were planned for the last quarter of 1995 at Alma Ata (Almaty), Kiev and Novosibirsk.

IV. SPECIFIC MEASURES TAKEN BY OTHER ORGANIZATIONS IN IMPLEMENTING GENERAL ASSEMBLY RESOLUTION 49/173

21. In preparing the present report, UNHCR wrote on 19 June 1995 to those international organizations which have been closely involved with the CIS conference process to provide information on specific measures taken in implementing General Assembly resolution 49/173.

22. By 15 July 1995, the following international organizations and institutions had provided information on specific measures taken: the United Nations Centre for Human Rights, the Department for Economic and Social Information and Policy Analysis and the Department of Humanitarian Affairs of the United Nations Secretariat, the Economic Commission for Europe and the International Bank for Reconstruction and Development.

23. In its response, the Department for Economic and Social Information and Policy Analysis noted that it had been designated to act as focal point for the preparation of the report called for by General Assembly resolution 49/127, which requested the Secretary-General to prepare "in consultation with all States and relevant international and regional organizations a report on international migration and development, including aspects related to objectives and modalities for the convening of a United Nations conference on international migration and development". The report, 1/ which was considered by the Economic and Social Council at its 1995 session, indicates that those Governments favouring the holding of an international conference on international migration

and development generally agree on the need for it to consider all types of migrants, including refugees. The ongoing activities to promote and develop the preparatory process for convening a regional conference, as requested in resolution 49/173, would provide, according to the Department for Economic and Social Information and Policy Analysis, a crucial input towards a more general conference, were one to be convened.

24. The United Nations Centre for Human Rights is actively participating in and supporting the CIS conference process. Its efforts for a comprehensive approach to the problem of refugees, internally displaced persons and other migratory movements include strengthening conflict prevention and early warning capacities. Regional approaches are currently under consideration for the Caucasus region.

25. The Department of Humanitarian Affairs has actively participated in the preparatory meetings of the CIS conference process, including those of the Steering Group and the subregional meetings at Tbilisi and Ashkhabad. In operational terms, the Department of Humanitarian Affairs launched in April 1994 a consolidated inter-agency appeal for Tajikistan for the year 1995. The appeal reflected awareness of UNHCR plans to bring to a close its relief activities by December 1995. A similar appeal was launched for the Caucasus in May 1994. As a result of the emergency situation in Chechnya, the Russian Federation, a United Nations consolidated appeal in support of displaced persons was issued by the Department of Humanitarian Affairs in March 1995.

26. The secretariat of the Economic Commission for Europe is mainly involved in the monitoring of international population movements and in conducting research on the causes and consequences of those movements. It is currently conducting in-depth surveys of international migration in Lithuania, Poland and Ukraine, the results of which were to be published in 1996.

27. The International Bank for Reconstruction and Development participated in the first meeting of experts and is fully supportive of the activities being undertaken by UNHCR and other agencies in implementing General Assembly resolution 49/173.

Notes

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